

**EXHIBIT 4**

**EXHIBIT 4**

DAVID HILL BASHFORD (Nevada Bar # 11744)  
Bradley Arant Boult Cummings LLP  
Bank of America Corporate Center  
100 N. Tryon Street, Suite 2690  
Charlotte, NC 28202  
Phone: (704) 338-6000  
Fax: (704) 332-8858  
[dbashford@babc.com](mailto:dbashford@babc.com)

*Attorney for Defendants GMAC Mortgage, LLC,  
Executive Trustee Services, LLC, Illeanna Peterson  
and Kahleen Gowen*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA - RENO DIVISION

PAMELA D. LONGONI,  
individually and as Guardian Ad  
Litem for LACEY LONGONI,  
and JEAN M. GAGNON,

Case No.: 3:10-CV-00297-LRH-(VPC)

Plaintiffs,

vs.

GMAC MORTGAGE, LLC., a Delaware  
Limited Liability Company, EXECUTIVE  
TRUSTEE SERVICES, LLC., a Delaware  
Limited Liability Company, ILLEANNA  
PETERSON, KATHLEEN GOWEN,  
individuals, DOES 1-10; BLACK AND  
WHITE CORPORATIONS 1-10,  
corporations; ABLE & BAKER  
COMPANIES 1-10, co-partnerships and or  
limited liability companies,

Defendants. /

**RESPONSES TO PLAINTIFFS' FIRST SET OF INTERROGATORIES TO  
DEFENDANT GMAC MORTGAGE, LLC**

COMES NOW, Defendant GMAC Mortgage, LLC and provides the following verified Responses to Plaintiffs' First Set of Interrogatories pursuant to Rule 33 of the Federal Rules of Civil Procedure

***GENERAL RESPONSE TO INTERROGATORIES***

The available records underlying the events, acts, omissions or circumstances raised in these Interrogatories are contained in the documents previously produced to Defendants or in the documents produced contemporaneously with these Responses. Many of the records and correspondence referenced in these Interrogatories were generated by GMAC's automated system based upon the status of Defendant's account or information entered into the system, often for which there is no available record of specifically which GMAC employee initiated, authored, entered the information or made the ultimate decision. In addition, GMAC's system is only able to identify current employees associated with certain tasks or notes, as GMAC's system does not preserve individual employee information after departure of an employee. Where specific employee information is available, the employees involved have been named. Please note that while we have broadly attempted to identify the identity of individuals that were involved in each of these tasks, events or documents, an individual's listing in a Response below does not necessarily indicate that person made the decision at issue. Generally, however, GMAC will produce upon request a Rule 30(b)(6) corporate representative capable of testifying, to the best of GMAC's corporate knowledge, as to all acts or failures to act by GMAC through its employees related to the tasks and documentation at issue.

Below is information for all persons named in these responses. Where the individual is a current employee of GMAC, we have provided department and location information, and undersigned counsel will accept service of any notices or other documents related to this

litigation. Where the individual is a former employee of GMAC (information is italicized), GMAC has provided last known residential contact information where known (for some of these individuals, GMAC's human resources department has no available information).

*Joyce Petty – ETS, last known address: 20401-536 Soledad Canyon Rd, Canyon Country, CA 91351*

*Rosan Ylana – GMAC, last address unknown*

*Jeanne Masmilla – GMAC, last address unknown*

Henry Williams, Loss Mitigation – GMAC Dallas, TX

*Jefferson Boral – GMAC, last address unknown*

Logan Gill, Portfolio Manager - GMAC Dallas, TX

Ronald King, Loan Counselor – GMAD Dallas, TX

Landon Huck, Mod Team – GMAC Dallas, TX

Henry Casas, Loan Resolution - GMAC Dallas, TX

*Jefferson Boral - GMAC, last address unknown*

*Nate Stephenson - GMAC, last address unknown*

Elizabeth DeSilva, Associate Counsel - GMAC Dallas, TX

Kari Krull, Servicing Risk Team - GMAC Waterloo, IA

Kimberly Wells, Foreclosure Specialist - GMAC Ft. Washington, PA

Marybeth Scalzo, Accountant III Sr. - ETS Burbank, CA

Gillian Martil, Sr. Mortgage Default Specialist - GMAC Burbank, CA

*Rohan Wright, GMAC, last known address: 260 E Cheltenham Ave, Philadelphia, PA 19120*

*Catalina Aguirrejimenez, GMAC, last address unknown*

*Kenneth Ugwuado, GMAC, last known address: 1730 Ferndale Ave, Abington, PA 19001*

*Connie Canada, ETS, last address unknown*

*Sandra Guevara, ETS, last known address: 19815 Lodelius St, Northridge, CA 91324*

*Joselita Aquisay, GMAC, last address unknown*

*Ricardo Napao, GMAC, last address unknown*

Chris Herrera, Mortgage Default Specialist - ETS Burbank, CA

*Michael Wallace, GMAC, last known address: 1504 McKee St, Dallas, TX 75215*

Nancy Penca, Sr. Business Analyst - GMAC Waterloo, IA

John Meinecke, Loss Mitigation - GMAC Waterloo, IA

Ann Langerhans, Retail Lending - GMAC Ft. Washington, PA

*Tosha Diehl Mowatt - GMAC, last known address: 1108 W 4th St, Waterloo, IA 50702*

Peggy Vernitsky, Sr. Bankruptcy/Foreclosure Specialist - GMAC Ft. Washington, PA

Henry Casas, Loan Resolution - GMAC Dallas, TX

Kelly Looby, Loss Mitigation - GMAC Waterloo, IA

Allison Higgins, Customer Service Rep III - GMAC Waterloo, IA

*Jeanne Masmila - GMAC, last address unknown*

*Michelle Manuel - GMAC, last address unknown*

Genova Lee, St. Lien Default Specialist - GMAC Dallas, TX

Mark Layton, Sr. Loan Counselor - GMAC Dallas, TX

Andrew Vidos, Mod Team - GMAC Dallas, TX

Joshua Yaklin, Mod Team - GMAC Dallas, TX

Kimberly Rojas, At Risk Loan Resolution - GMAC Dallas, TX

Landon Huck, Mod Team - GMAC Dallas, TX

Arthur Smith, At Risk Loan Resolution - GMAC Dallas, TX

Ginger Harrison, Portfolio Specialist - GMAC Dallas, TX

Christine Simpson, 1<sup>st</sup> Lien Loss Mitigation Specialist - GMAC Dallas, TX

*Farhanna Calala - GMAC, last address unknown*

Reece Sealock, Loss Mitigation - GMAC Dallas, TX

Derek Harkrider, Service Delivery Assurance - GMAC Dallas, TX

Kimberly Wells, Foreclosure Specialist - GMAC Ft, Washington, PA

Gillian Martil, Sr. Mortgage Default Specialist - GMAC Burbank, CA

Rebecca Magness, Modification Specialist - GMAC Dallas, TX

Henry Williams, Loss Mitigation - GMAC Dallas, TX

Ronald King, Sr. Loan Counselor - GMAC Dallas, TX

Cager Bradley, Loan & Loss Mitigation Collector - GMAC Dallas, TX

Paul Williams, Director of Modification Team - GMAC Dallas, TX

**INTERROGATORY NO 1:**

Please identify each individual or entity who currently has or has had, or who has claimed to have had, possession and/or an ownership interest in the Note (GMAC-01-0129-0138) and Deed of Trust (GMAC-01-0088-0108) executed by the plaintiffs on or about September 29, 2005, relative to the property at 5540 Twin Creeks Drive, Reno, Nevada. Further state, the following:

- a) The date upon which said person or entity obtained possession and/or ownership of said Note and/or Deed of Trust;
- b) The date which said person or entity transferred possession or ownership of said documents;

- c) The person or entity from which the person or entity obtained possession or a legal interest in the Note and/or Deed of Trust;
- d) The person or entity to whom the Note and/or Deed of Trust were transferred.

**RESPONSE NO.1:**

9/29/05	Equifirst Corp	Origination
10/17/05	Loan registered with MERS	Loan originated with MERS as nominee
1/05/06	Residential Funding Co, LLC as Trustee	Transfer of beneficial rights from EC
10/08/06	Residential Funding Co, LLC	Transfer of servicing rights from EC

**INTERROGATORY NO. 2:**

Please identify each individual who made contact with any plaintiff relative to any of the following:

- a) Any plaintiffs' failure to make timely payments of any loan amount;
- b) Any plaintiffs' request for modifications or changes to any loan amount or payment;
- c) Anything associated with a loan modification or request for changes in any loan;
- d) Any notification to a plaintiff that their request for a loan modification had been approved, rejected, or that said request was under consideration.

**RESPONSE NO. 2:**

- a) Joyce Petty—ETS
- b) Rosan Ylana—GMAC
- Jefferson Boral—GMAC
- Ronald King—GMAC
- Landon Huck—GMAC
- Henry Casas—GMAC

Nate Stephenson—GMAC

c) Rosan Ylana—GMAC

Jefferson Boral—GMAC

Ronald King—GMAC

Landon Huck—GMAC

Henry Casas—GMAC

Nate Stephenson—GMAC

d) Landon Huck—GMAC

Jefferson Boral—GMAC

Henry Casas—GMAC

**INTERROGATORY NO. 3:**

Please identify each and every person who played any part in the following:

- a) The decision to allow a plaintiff to seek a loan modification;
- b) The decision to grant or deny a plaintiffs' request for loan modification;
- c) The recommendation that the plaintiffs seek an "Obama" plan loan modification;
- d) The decision to foreclose upon the plaintiffs' real property;
- e) The decision to seek to recover the plaintiffs' real property;
- f) The providing of any notice to the plaintiffs associated with the foreclosure process;
- g) The denial of the request by any plaintiff for a loan modification;
- h) The decision on when and what notices should be provided to a plaintiff;
- i) The request that any plaintiff provide documentation or information to GMAC

MORTGAGE, LLC.

**RESPONSE NO. 3:**

a) Rosan Ylana—GMAC

Henry Williams—GMAC

Jefferson Boral—GMAC

b) Jefferson Boral—GMAC

Henry Casas—GMAC

c) Jefferson Boral—GMAC

Landon Huck—GMAC

Henry Casa—GMAC

Nate Stephenson—GMAC

d) Joyce Petty—ETS

Jeane Masimilla—GMAC

e) Objection—decision was part of potential settlement negotiations and involved  
counsel for GMAC—Privileged.

f) Joyce Petty—ETS

Ileanna Peterson—ETS

Kathleen Gowen—ETS

Rosan Ylana—GMAC

Jeanne Masmilla—GMAC

Henry Casas—GMAC

g) Jefferson Boral—GMAC

Henry Casas—GMAC

Landon Huck—GMAC

h) Formal notices were determined based upon Nevada Revised Statutes.

i) Jeanne Masmilla—GMAC

Jefferson Boral—GMAC

Landon Huck—GMAC

Henry Casas—GMAC

Nate Stephenson—GMAC

**INTERROGATORY NO. 4:**

Please identify the individual who is referenced as “VP” in Jonathan Stephenson’s email communication of May 5, 2009, at 2009 (Bates No. LONG-0149).

**RESPONSE NO. 4:**

Paul Williams, Director of Modification Team.

**INTERROGATORY NO. 5:**

Please identify any and all lawsuits or claims made against GMAC MORTGAGE, LLC during the last 3 years wherein it is alleged that the company wrongfully foreclosed upon any loan made by the company.

**RESPONSE NO. 5:**

Objection. This request is overly broad, overly burdensome and irrelevant.

**INTERROGATORY NO. 6:**

What role, if any, did GMAC MORTGAGE, LLC, play in the decision to grant or deny any plaintiff a modification of their loan with EquiFirst Corporation.

**RESPONSE NO. 6:**

As indicated in Response No. 1, EquiFirst was no longer the holder of Plaintiff's loan during the time period at issue. Accordingly, GMAC played no role in any decisions by EquiFirst concerning a loan modification for Plaintiff's in 2009.

As for the events at issue in this lawsuit, GMAC acted as the loan servicer for Plaintiff's loan, including for the process of considering loan modification and foreclosure. GMAC reviewed Plaintiff's loan and financial information (to the extent provided) in light of (a) delegated authority criteria provided by Residential Funding Corporation and (b) HMP criteria (note, however, that Plaintiff's failed to provide a responsive HMP). Plaintiff's loan and financial information (to the extent provided) did not satisfy the criteria for loan modification.

**INTERROGATORY NO. 7:**

Please identify any relationship between GMAC MORTGAGE, LLC, and any of the following companies:

- a) EXECUTIVE TRUSTEE SERVICES, LLC,
- b) EquiFirst Corporation
- c) Homecomings Financial, LLC

**RESPONSE NO. 7:**

- a) ETS is GMAC's foreclosure trustee and a wholly owned subsidiary of GMAC.
- b) GMAC has no corporate relationship with EquiFirst.
- c) GMAC is a related affiliate (sister company) of Homecomings.

**INTERROGATORY NO. 8:**

Please identify each individual who took any part in seeking the removal of negative information from the plaintiffs' credit history.

**RESPONSE NO. 8:**

Objection—decision was part of potential settlement negotiations and involved counsel for GMAC—Privileged. Notwithstanding the objection, Kari Krull—GMAC transmitted credit update.

**INTERROGATORY NO. 9:**

Please describe the nature of the GMAC document Bates Number GMAC-01-0001 through GMAC-01-0012. Further state:

- a) Where, and in what format (electronic or otherwise) the document is maintained;
- b) Each individual who made any entry of information or data into this document.

**RESPONSE NO. 9:**

This document is a print-out from LPS Desktop, which is the electronic system utilized by GMAC for foreclosure process / events tracking and document repository. LPS Desktop is the main system for communication between GMAC and outside vendors, including ETS, concerning the foreclosure process.

- a) LPS Desktop is maintained electronically on GMAC's network
- b) Kimberly Wells, GMAC  
Marybeth Scalzo, ETS  
Gillian Martil, GMAC  
Rohan Wright, GMAC  
Catalina Aguirrejimenez, GMAC  
Kenneth Ugwuado, GMAC  
Connie Canada, ETS  
Sandra Guevara, ETS  
Joselita Aquisay, GMAC  
Ricardo Napao, GMAC  
Chris Herrera, ETS  
Michael Wallace, GMAC  
Rosan Ylanan, GMAC

**INTERROGATORY NO. 10:**

Please describe the nature of the GMAC document Bates number GMAC-01-0013 through GMAC-01-0087. Further state:

- a) Where, and in what format (electronic or otherwise) the document is maintained;
- b) Each individual who made any entry of information or data into this document.

**RESPONSE # 10:**

This document is a print-out of loan history from MortgageServ, GMAC's internal loan servicing database.

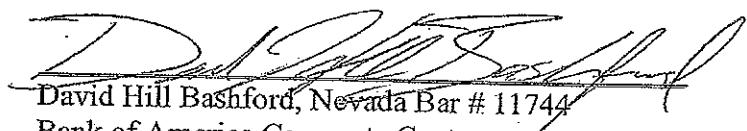
- a) MortgageServ is maintained electronically on GMAC's network
- b) The payment history entries in MortgageServ are generated by the posting of payments or disbursement of funds by GMAC's cashiering department. The servicing comments are entered by various individuals as well as automated entries for system generated notices.

Teller #	Name
1050	Nancy Penca—GMAC
1711	John Meinecke—GMAC
2007	Ann Langerhans—GMAC
7038	Tosha Diehl Mowatt—GMAC
8834	Peggy Vernitsky—GMAC
11449	Henry Casas—GMAC
12588	Kelly Looby—GMAC
12650	Allison Higgins—GMAC
17172	Jeanne Masmila—GMAC
17777	Michelle Manuel—GMAC
19961	Genova Lee—GMAC
20136	Mark Layton—GMAC
20311	Andrew Vidos—GMAC
20312	Joshua Yaklin—GMAC
20793	Kimberly Rojas—GMAC
21136	Landon Huck—GMAC
21293	Arthur Smith—GMAC
21317	Ginger Harrison—GMAC
21579	Christine Simpson—GMAC
21683	Farhanna Calala—GMAC
22084	Reece Sealock—GMAC
22539	Derek Harkrider—GMAC

23177	Kimberly Wells—GMAC
23862	Gillian Martil—GMAC
30011	Rebecca Magness—GMAC
30741	Henry Williams—GMAC
30762	Ronald King—GMAC
31951	Cager Bradley—GMAC

DATED this 2<sup>nd</sup> day of December, 2010.

**BRADLEY ARANT BOULT CUMMINGS LLP**



David Hill Bashford, Nevada Bar # 11744

Bank of America Corporate Center

100 N. Tryon Street, Suite 2690

Charlotte, NC 28202

Phone: (704) 338-6000

Fax: (704) 332-8858

dbashford@babc.com

*Attorney for Defendants GMAC Mortgage, LLC,  
Executive Trustee Services, LLC, Illeanna Peterson  
and Kahleen Gowen*

VERIFICATION

Juan Aguirre being duly sworn, deposes and states:

That he is a manager of litigation support for GMAC Mortgage, LLC and, as such, is authorized to verify the foregoing Responses to Plaintiff's First Set of Interrogatories to Defendant GMAC Mortgage, LLC on behalf of GMAC Mortgage, LLC, that he has read said Responses and knows the contents thereof, and that the same are true of his own knowledge and review of GMAC Mortgage, LLC's available corporate records.

GMAC Mortgage, LLC

By: \_\_\_\_\_  
Name: Juan Aguirre  
Title: Manager—Litigation Support

SWORN TO AND SUBSCRIBED before me  
this 2<sup>nd</sup> day of December 2010.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 9/21/2011

[SEAL]

